

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

STEPHEN L. BRADLEY,

Plaintiff,

v.

7:05-CV-1558

MICHAEL J. ASTRUE, Commissioner of
Social Security,¹

Defendant.

APPEARANCES:

OF COUNSEL:

FOR PLAINTIFF:

LEKKI, HILL LAW FIRM
21 Court Street
P.O. Box 469
Canton, New York 13617

PAUL M. FISCHER, ESQ.

FOR DEFENDANT:

HON. GLENN T. SUDDABY
United States Attorney
Northern District of New York
P.O. Box 7198
100 S. Clinton Street
Syracuse, New York 13261-7198

WILLIAM H. PEASE, ESQ.
Assistant U.S. Attorney

OFFICE OF GENERAL COUNSEL
Social Security Administration
26 Federal Plaza

BARBARA L. SPIVAK, ESQ.
Chief Counsel, Region II

¹ Plaintiff's complaint, which was filed on December 14, 2005, named Jo Anne B. Barnhart, the former Commissioner of Social Security, as the defendant. On February 12, 2007, Michael J. Astrue took office as Social Security Commissioner. He has therefore been substituted as the named defendant in this matter pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure, and no further action is required in order to effectuate this change. See 42 U.S.C. § 405(g).

New York, New York 10278

NORMAN A. MORDUE, CHIEF JUDGE

ORDER

The above matter comes to me following a Report-Recommendation by Magistrate Judge David E. Peebles, duly filed on the 2nd day of July, 2007. Following ten days from the service thereof, the Clerk has sent me the file, including any and all objections filed by the parties herein.

After careful review of all of the papers herein, including the Magistrate Judge's Report-Recommendation, and no objections submitted thereto, it is

ORDERED, that:

1. The Report-Recommendation is hereby approved.

2. The defendant's motion for judgment on the pleadings is granted, the Commissioner's determination of no disability is affirmed, and plaintiff's complaint in this action is dismissed.

3. The Clerk of the Court shall serve a copy of this Order upon all parties and the Magistrate Judge assigned to this case.

IT IS SO ORDERED.

Dated: July 18, 2007
Syracuse, New York


Norman A. Mordue
Chief United States District Court Judge

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